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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/614,867	07/12/2000	Shankar Sahai	1719.0360000	2450

7590 01/02/2008  
JOHN W. OLIVO, JR.  
WARD & OLIVO  
382 SPRINGFIELD AVENUE  
SUMMIT, NJ 07901

EXAMINER
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CHANKONG, DOHM

ART UNIT	PAPER NUMBER
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2152

MAIL DATE	DELIVERY MODE
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01/02/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

09/614,867

Applicant(s)

SAHAI ET AL.

Examiner

Dohm Chankong

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

1> This action is in response to Applicant's request for continued examination, filed on 10.15.2007. Claims 1, 9, 17, and 18 are amended. Claims 1-18 are presented for further examination.

2> This is a non-final rejection.

#### *Continued Examination Under 37 CFR 1.114*

3> A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10.15.2007 has been entered.

#### *Response to Arguments*

4> As to the §101 rejection of claims 17 and 18, Applicant's amendments do overcome the rejections. Applicant has amended the claims to now recite a "system for implementing a computer program product" and various modules for executing the program code. The use of the word "system" does not inherently mean that the claim is directed to a machine. Only if at least one of the claimed elements of the system is an actual physical part of a device can the system be construed as a machine within the meaning of §101.

Applicant's specification is to be reviewed to determine the broadest reasonable interpretation of the modules for executing the computer program code in claim 17.

Applicant's specification fails to mention "modules" for executing code. However, Applicant's specification does recite that "one or more processors 504" execute the control logic of the program product [pg. 17 «lines 6-12»]. The claimed program code is interpreted as the control logic and the processors are interpreted as the claimed modules that execute the code. Thus, Applicant's modules are a physical part of the device and the system of claim 17 as claimed is interpreted as a machine within the meaning of §101.

5> As to the §102 and §103 rejections, Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment to the independent claims.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6> Claims 1-6, 9-14, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lerner (U.S. Patent Number 6,954,799), in view of Vange et al, U.S Patent No. 7,143,195 ["Vange"].

7> Vange was cited the previous examiner in the PTO-892 filed on 12.28.2006.

8> Some claims will be discussed together. Those claims which are essentially the same except that they set forth the claimed invention as a system or a computer program product are rejected under the same rationale applied to the described claim.

9> Lerner disclosed a method for integrating web based applications with each other and with other centralized applications to provide a single sign-on approach for distributed web sites. Lerner expressly disclosed providing, by the second web site, a URL where the URL specifies a program on the second web site. Lerner also expressly disclosed reading, by the program, a cookie that is located on the user's computer. However, Lerner did not expressly disclose reading the cookie through a wireless link.

Connecting a client computer through a wireless link was extremely well known at the time of Applicant's invention. For example, Vange disclosed storing a cookie on a mobile computer [abstract : storing a cookie on a client device | column 4 «lines 41-56» where : a client device is a handheld that establishes wireless connections through a WAP]. Vange also teaches reading the cookie that was located on the client device [column 11 «lines 22-25»]. Thus, this teaching, in combination with Vange's teachings that a client device can be implemented as a handheld computer with wireless connections, disclose the claimed limitation of reading a cookie located in the user's computer through a wireless link.

It would have been obvious to one of ordinary skill in the art to have adapted Lerner's method for redirecting user's to include Vange's teachings of a handheld computer that

wirelessly links to the web sites. The benefits of wireless connections are extremely well known including providing a user the ability to connect to the Internet from remote locations where physical connections are not present. Thus, one would have been motivated to modify Lerner to satisfy the need of providing wireless capability to Lerner's redirection invention.

10> Thereby, the combination of Lerner and Vange disclosed:

- <Claims 1, 9, and 17>

A method for redirecting a user from a second Web site to a first Web site, comprising the steps of:

(1) providing, by the second Web site, a URL offering a product or service to the user, said URL specifying a program on the second Web site (column 11, lines 3-9);

(2) reading, by said program, a cookie located in the user's computer in response to the user activating said URL (column 11, lines 9-14);

(3) providing a positive determination when an inquiry by said program, from said cookie as to whether the user already possesses said product or service is true (column 11, lines 32-37);

(4) redirecting, by said program, the user to the first Web site when the determination of step (3) is positive determination, wherein the first Web site is specified by said cookie (column 11, lines 32-37); and

(5) offering, by the second Web site, to supply said product or service to the user when the determination of step (3) is negative (column 11, lines 14-18); whereby

the user who already possesses said product or service will not receive duplicate offers to supply said product or service from multiple Web sites (column 11, lines 32-37).

- <Claims 2, 10, and 18>

The method of claim 1, wherein said providing of step (1) comprises at least one of the following steps of: sending an e-mail including a link to said URL to the user; providing a Web page including a link to said URL to the user (column 11, lines 3-9); and providing a computer program including a link to said URL to the user.

- <Claims 3 and 11>

The method of claim 2, wherein said activating of step (2) comprises at least one of the steps of: clicking a link to said URL on a Web page (column 11, lines 7-9); clicking a link to said URL in an e-mail; and executing a computer program that activates a link to said URL.

- <Claims 4 and 12>

The method of claim 1, further comprising a step of: placing, by the first Web site, said cookie the user's computer in response to the user registering with the first Web site for said product or service, said cookie including the URL of the first Web site (column 11, lines 27-31).

- <Claims 5 and 13>

The method of claim 1, wherein said program is a server side program (figure 4, item 402).

- <Claims 6 and 14>

The method of claim 5, wherein said program is at least one of the following: a CGI script; a Java servlet (column 6, lines 15-19); a PHP script; and a Perl script.

Since all the limitations of the invention as set forth in claims 1-6, 9-14, 17, and 18 were disclosed by Lerner and Vange, claims 1-6, 9-14, 17, and 18 are rejected.

11> Claims 7, 8, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lerner and Vange, as applied above, in view of the applicant's admitted prior art, hereinafter referred to as APA.

12> Lerner as modified by Vange disclosed a method for integrating web based applications with each other and with other centralized applications to provide a single sign-on approach for distributed web sites. Lerner's system as modified by Vange provides the program functionality that reads the user's cookie on the server side of the system. Thus, concerning claims 7, 8, 15, and 16, Lerner as modified by Vange does not explicitly state this program functionality at the client side.

However, client side program functionality enabled to read a user's cookie was well known in the art at the time of the applicant's invention. This is evidenced by APA, wherein the applicant states "ActiveX controls and Java applets used to access the file system were well-known to those reasonably skilled in the art at the time of the present invention." See page 34, lines 1-7 of the appeal brief filed 6/3/2005. Thus, it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the system



of Lerner by adding the ability for the program to be a client side program that is downloaded from the second Web site as provided by APA.

13> Thereby, the combination of Lerner, Vange and APA discloses:

- <Claims 7 and 15>

The method of claim 1, wherein said program is a client side program that is downloaded from the second Web site (APA as discussed above).

- <Claims 8 and 16>

The method of claim 7, wherein said program is at least one of the following: a Java applet; a Java script; and an Active X control (APA as discussed above).

Since the combination of Lerner and APA discloses all of the above limitations, claims 7, 8, 15, and 16 are rejected.

### *Conclusion*

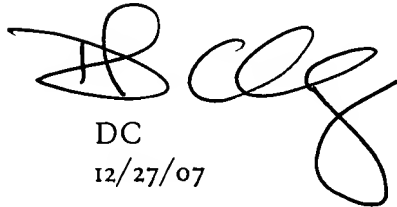
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dohm Chankong whose telephone number is 571.272.3942. The examiner can normally be reached on Monday-Friday [8:30 AM to 4:30 PM].

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571.272.3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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DC  
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